

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HULEN T. HARRELL,

Plaintiff,

v.

GREGORY J. AHERN,

Defendant.

Case No. [14-cv-00317-JD](#)

**ORDER DENYING MOTION AND  
GRANTING EXTENSION**

Re: Dkt. No. 10

Petitioner, a detainee, filed a pro se petition for a writ of habeas corpus. This case was recently reassigned to the undersigned. The exact nature of this action is difficult to discern. Petitioner states he is in pre-trial detention and he is a SVPA. The court assumes that petitioner is awaiting a determination of civil commitment pursuant to California's Sexually Violent Predators Act. *See* Cal. Welf. & Inst. Code 6600, et seq. The petition was dismissed with leave to amend as the claims were difficult to understand. In claim one petitioner states that his SVP evaluations are false and his counsel is ineffective. Claim two is incomprehensible. As it appeared that petitioner was awaiting trial he was also ordered to address why this petition should not be dismissed pursuant to *Younger v. Harris*, 401 U.S. 37 (1971).

The time to amend has passed and petitioner has not filed an amended petition, but has instead filed a motion alleging that the prior judge assigned to this case was biased. Petitioner's allegations are frivolous, meritless and moot and the motion (Docket No. 10) is DENIED.

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Petitioner's request for an extension is GRANTED and he shall file an amended petition within  
twenty-eight (28) days.

**IT IS SO ORDERED.**

Dated: May 2, 2014



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JAMES DONATO  
United States District Judge